

AO 106 (Rev. 04/10) Application for a Search Warrant

UNITED STATES DISTRICT COURT

for the
Western District of Washington

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)Subject Instagram Accounts and Subject Roblox
Accounts

Case No.

MJ18-5037

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):
Subject Instagram and Roblox Accounts as further described in Attachment A, which is attached hereto and incorporated herein by this reference.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, which is attached hereto and incorporated herein by this reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
Title 18, U.S.C. § 2252 (a)(2)	Receipt and Distribution of Child Pornography
Title 18, U.S.C. § 2422(b)	Enticement of a Minor
Title 18, U.S.C. § 2251(a)	Production of Child Pornography

The application is based on these facts:

See attached Affidavit

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

SPECIAL AGENT JAYME MCFARLAND, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: 2/15/2018

City and state: TACOMA, WASHINGTON



Judge's signature

DAVID W. CHRISTEL, U.S. MAGISTRATE JUDGE

Printed name and title

2017R01076

AFFIDAVIT

STATE OF WASHINGTON

ss

COUNTY OF PIERCE

I, Jayme McFarland, Special Agent, United States Department of Homeland Security, Homeland Security Investigations, being first duly sworn under oath, depose and state as follows:

1. I am a Special Agent with the U.S. Department of Homeland Security (DHS), Homeland Security Investigations (HSI), assigned to the Special Agent in Charge Seattle, Washington, field office. I have been a Special Agent with HSI since December 2010. I completed the Criminal Investigator Training Program and the HSI Special Agent Training Program located at the Federal Law Enforcement Training Center in Glynco, Georgia. My training included courses in law enforcement techniques, federal criminal statutes, conducting complex criminal investigations, physical and electronic surveillance techniques, and the execution of search warrants. During my employment as a law enforcement officer, I have attended periodic seminars, meetings, and continued training.

2. As part of my duties as an HSI Criminal Investigator, I investigate criminal violations relating to child exploitation and child pornography including violations of Title 18, United States Code §§ 2251(a), 2252(a)(2), and 2422(b). I have received training in the area of child pornography and child exploitation, and have observed and reviewed numerous examples of child pornography in various forms of media, including media stored on digital media storage devices such as computers, tablets, cellphones, etc. I have also participated in the execution of numerous search warrants involving investigations of child exploitation and/or child pornography offenses. I am a member of the Seattle Internet Crimes Against Children (ICAC) Task Force for the Western District

1 of Washington, and work with other federal, state, and local law enforcement personnel
2 in the investigation and prosecution of crimes involving the sexual exploitation of
3 children.

4 3. I make this Affidavit in support of an application under Rule 41 of the
5 Federal Rules of Criminal Procedure for a warrant for information associated with certain
6 social media accounts as detailed below in paragraphs 4 and 5 and further described in
7 Attachment A (the SUBJECT ACCOUNTS).

8 4. Records and information associated with the Instagram accounts
9 "B3stingbeast" ("BENSON INSTAGRAM ACCOUNT");
10 [REDACTED] ("MV INSTAGRAM ACCOUNT 1");
11 [REDACTED] ("MV INSTAGRAM ACCOUNT 2"); and
12 [REDACTED] ("MV2 INSTAGRAM ACCOUNT"),
13 that are stored at the premises controlled by Facebook, a social media platform
14 headquartered at 1601 Willow Road, Menlo Park, CA 94025.

15 5. Records and information associated with the Roblox account
16 [REDACTED] ("MV ROBLOX ACCOUNT")
17 that are stored at the premises controlled by Roblox, a user-generated massive
18 multiplayer online social gaming platform headquartered at 60 East third Avenue, Suite
19 201, San Mateo, CA 94401.

20 6. On December 12, 2017, the Honorable Theresa L. Fricke issued search
21 warrants for the SUBJECT ACCOUNTS (as well as other social media accounts) under
22 Cause No. MJ17-5216. Upon serving those warrants, I learned that Roblox had no
23 records associated with MV ROBLOX ACCOUNT. Upon further investigation, I
24 realized that the original search warrant application contained a typographical error,
25 which I have corrected. In addition, Instagram informed me that they would not accept
26 the search warrants unless they were directed specifically to "Instagram LLC."
27 Accordingly, I am submitting this application to address these deficiencies so that I can
28 obtain the requested information related to the SUBJECT ACCOUNTS.

7. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A) to require Instagram and Roblox, to disclose to the government copies of the information (including the content of communications) further described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

8. The facts set forth in this Affidavit are based on my own personal knowledge; knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers; the review of documents and records related to this investigation; communications with others who have personal knowledge of the events and circumstances described herein; and information gained through my training and experience.

9. Because this Affidavit is submitted for the limited purpose of providing sufficient facts necessary to determine whether there is probable cause in support of the application for a search warrant, it does not set forth each and every fact that I or others have learned during the course of this investigation. I have set forth only the facts that I believe are relevant to the determination of probable cause to believe that evidence, fruits, and instrumentalities of violations of 18 U.S.C. § 2251(a) (Production of Child Pornography), 18 U.S.C. § 2252(a)(2) (Receipt/Distribution of Child Pornography), and 18 U.S.C. § 2422(b) (Enticement of a Minor) will be found in the SUBJECT ACCOUNTS.

I. INTRODUCTION AND BACKGROUND

10. This investigation began when Canadian law enforcement notified HSI Seattle that Washington State resident, later identified as Morgon Robert BENSON, had been sexually exploiting a Canadian minor (MV) over the Internet.

11. The investigation revealed that BENSON had initiated an online relationship with a thirteen-year-old Canadian. The two communicated over various

1 social media platforms, including Facebook, Instagram, and Roblox—a social media
2 forum for online gaming.

3 12. On October 19, 2017, BENSON was arrested, and a Grand Jury sitting in
4 the Western District of Washington subsequently indicted BENSON for receipt of child
5 pornography. As explained below, the investigation has revealed that BENSON may also
6 have engaged in a relationship with an unidentified twelve-year-old girl, MV2. The
7 investigation also uncovered MV, BENSON, and MV2 communicated with an unknown
8 person who was MV's "boyfriend" (UP1).

9 II. SUMMARY OF INVESTIGATION

10 13. On October 12, 2017, the HSI Seattle Field Office was contacted by the
11 HSI International Attaché Office in Vancouver, Canada (CAN), in collaboration with the
12 Royal Canadian Mounted Police (RCMP) and informed that a female minor victim (MV,
13 DOB: XX/XX/2003) reported being coerced into providing nude photos of herself to an
14 adult male who identified himself via Facebook and Instagram as "Morgon Benson".
15 According to the Washington State Department of Licensing Morgon BENSON is a
16 nineteen-year-old male residing in Spanaway, Washington. The following is a description
17 of the investigation conducted by RCMP:

18 a. On October 7, 2017, MV's mother contacted the Richmond, Canada,
19 RCMP after she discovered a sexually explicit text conversation between MV and
20 BENSON on MV's cellphone. MV's mother also observed a picture of BENSON's penis
21 on the cellphone. The Richmond RCMP responded to interview MV, however, MV was
too afraid to discuss her relationship with BENSON at that time.

22 b. On or about October 11, 2017, MV attended an online safety
23 presentation performed by RCMP Constable (Cst.) J. Freeman at her school. MV
24 decided to come forward and disclose she was being contacted by an adult male who was
asking her to send nude photos of herself to him via text and internet.

25 c. On October 12, 2017, RCMP Cst. Freeman interviewed MV and
26 MV's father at the Richmond RCMP Detachment. MV stated BENSON reached out to
27 her in August 2017 via Instagram and they began communicating as friends then
28 progressed to "boyfriend and girlfriend." MV explained she believed that to mean when
they began an online sexual relationship. MV admitted she exchanged sexually explicit

1 texts with BENSON and allowed the law enforcement officers to view the messages. MV
 2 stated BENSON asked her on multiple occasions to send him nude photos of herself. MV
 3 said she began sending the nude photos to BENSON in September 2017. MV described
 4 the photos she sent to BENSON as a close-up photo of her vagina as well as a photo that
 5 showed her vagina, breasts, and face. MV also admitted to sending nude photos of herself
 6 via the Instagram camera within the application. MV claimed she received several photos
 7 of BENSON's penis during the same period.

8 d. MV and her father provided RCMP Cst. Freeman with her
 9 Facebook, Instagram, and Roblox username and passwords. MV and MV's Father
 10 consented to allow RCMP and United States Law Enforcement Officials to inspect MV's
 11 online accounts and detain and search MV's electronic devices. MV provided the
 12 following social media account info for BENSON:

- 13 • BENSON Facebook username: morgon.benson (BENSON
 14 FB ACCOUNT)
- 15 • BENSON Instagram username: b3stingbeast (BENSON
 16 INSTAGRAM ACCOUNT)

17 14. I viewed the publicly visible information displayed on Morgon.Benson's
 18 Facebook webpage and b3stingbeast's Instagram picture and compared these pictures
 19 with the License photo for Morgon Robert BENSON, DOB XX/XX/1998, on file with
 20 WSDOL. The pictures portray the same individual and confirm Morgon.Benson,
 21 B3stingbeast and Morgon BENSON are the same person.

22 15. I reviewed the cellphone text and Instagram conversations between MV and
 23 BENSON referenced by RCMP Cst Freeman that took place between September 2017
 24 and October 2017. These messages reflect, among other things, conversations between
 25 BENSON and MV in which BENSON strategically grooms MV for the purpose of
 26 enticing her to send nude photos of her genitalia to BENSON via the internet and text
 27 message. As described above, MV stated BENSON knew she was thirteen years of age.
 28 The following is an excerpt of Instagram chats between MV (MV INSTAGRAM
 ACCOUNT 1) and BENSON (BENSON INSTAGRAM ACCOUNT) on September 24,
 2017:

1 BENSON Show daddy
2 MV Now
3 BENSON Yes
4 MV Ok u asked for it
5 BENSON Daddy did
6 MV U really want to do this
7 BENSON Mhm
8 MV Think really hard about this cause remember I'm ur daughter
9 BENSON Yes I know but this is only for tonight
10 MV What did u mean by that
11 BENSON I'm only doing this tonight after that I'm treating you like my
12 daughter again
13 MV :/ interesting
14 BENSON Show daddy and daddy may show you
15 MV :/
16 I am double thinking
17 BENSON So you don't want to see daddy's big dick
18 MV XD I do but I don't want u to see me
19 BENSON I won't show you unless you show me you have to be fair
20
21
22
23
24
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//////////

BENSON But I'm not gonna give you one if you don't be fair and give
daddy one I'm also doing this for my pride.-.

//////////

BENSON Still tho
If you want a hot dick pic from daddy you have to give me
one too
MV I wish u were here
I am not gonna ask it's fine
BENSON I tell [UP1] then?
MV wait what
That's so unfair
BENSON Cause I kinda want to give you one for your own good
MV I have to now
That my only option
BENSON But the only way for me to give you a dick pic is for you to
give me one in return so my pride isn't destroyed
I had to give up my pride to help you masturbate us know
:/

1 So be fair
 2 MV :/
 3 BENSON [MV]
 4 MV I'm nervous
 5 I've never sent pics of down there
 6 BENSON Don't be imagine I'm [UP1]
 7 Just send a naked pic in a mirror of your body it's a lol easier
 8 then sending just that :/
 9 MV this is so bad
 10 BENSON I'll have to tell [UP1] if not
 11 MV :/
 12 B 5
 13 4
 14 3
 15 2
 16 MV Ok ok
 17 BENSON 1
 18 MV I'll do it
 19 BENSON Good girl
 20 MV As long as u leave [UP1] outta this
 21 BENSON I promise
 22 MV ok
 23 Don't judge
 24 BENSON I won't
 25 MV ***Sends Image file:
 26 27785010173063879789050360663900160.jpg

19 16. The image referenced in the above chat was sent on September 24, 2017, at
 20 04:46:59. The following is a description of the image that I saw sent via the Instagram
 21 chat:

22 Image: 27785010173063879789050360663900160.jpg

23 This image depicts a close up view of a female's vagina and a portion of
 24 her buttocks with the legs partially spread. The female is using her left hand
 25 to reach down and with her pointer and middle finger; the female is
 26 spreading her labia exposing her vagina and clitoris. The image appears
 27 purple in tint possibly due to the angle of the lighting.

27 17. Additionally, the following excerpt demonstrates BENSON's continued
 28 attempts to entice MV to send additional nude photos of herself and provides instructions

1 for what he wants to see:

2 BENSON Babe
 3 MV Hey wasup
 4 BENSON Till remind you
 5 MV ??
 6 Huh
 7 Babe what do u mean by that
 8 Are you talking about the dick pic
 9 yes and the deal we made with it
 10 I did my share
 11 BENSON Remember tonight you were gonna let me see your entire
 12 body nude not just your chest
 13 It's what you told me
 14 MV God damnit
 15 BENSON hehe
 16 Well
 17 Daddy's waiting
 18 MV Ok ok
 19 BENSON You gonna make daddy wait
 20 MV There
 21 I sent it
 22 BENSON Didn't show up
 23 Send it to my phone babe
 24 MV I can't
 25 My phone don't do that
 26 Hang on imma try again
 27 BENSON And babe what I mean by that is I wanna see you head to feet
 28 naked
 It's sending
 Did u get it
 BENSON Cause daddy wants to see those sexy lil legs of yours too
 No
 MV Uhgggg

18. On October 18, 2017, SA McFarland applied for and obtained search warrants for BENSON's home and person. On October 19, 2017, HSI Seattle Agents, with the assistance of Pierce County Sheriff's office, executed those warrants.

19. On October 19, 2017, at approximately 10:30 AM, SA McFarland and SA Crowder interviewed BENSON. SA McFarland advised BENSON of his rights from a

1 pre-printed Miranda form; SA Crowder witnessed. BENSON stated he understood his
2 rights and spoke to the agents without an attorney present.

3 20. During the interview, BENSON acknowledged that he had Facebook,
4 Instagram, Snapchat, and Roblox accounts. SA McFarland allowed BENSON to access
5 his Samsung cellphone during the interview and he provided the agents with the
6 passcode. When BENSON turned on his cellphone, SA McFarland observed a video of
7 MV dancing playing on BENSON's phone. BENSON volunteered that he uses the same
8 username for Instagram and Snapchat, "B3STINGBEAST". SA McFarland noted
9 B3STINGBEAST is the username of the individual who was communicating with MV in
10 a sexually explicit manner and requesting nude photos of MV via Instagram which SA
11 McFarland observed during the review of MV's devices. During the interview, SA
12 McFarland inspected BENSON'S Instagram account and located the conversation
13 referenced above which occurred on September 24, 2017.

14 21. BENSON stated he had also communicated with MV through an
15 application known as "Roblox". According to BENSON, he, MV, and a third individual
16 he knew as "[MV2]" were engaged in a "family-like" relationship via the Roblox
17 application. BENSON admitted he was the "Daddy", MV was "Baby girl", and MV2 was
18 the "Mommy". The following is an excerpt SA McFarland saw of an Instagram chat
19 between MV and BENSON in which he confirms his awareness of MV2's age:

20	BENSON	Your actually older than mommyXD
21	MV	XD
22	BENSON	Mommy is 12
23	MV	I'm 14
24	BENSON	ik lol
25		I'm 18

26 22. During a review of MV's Roblox account data found on MV's digital
27 devices, I saw multiple chats involving MV, MV2, UP1, and BENSON using their
28 respective Roblox accounts: MV ROBLOX ACCOUNT, MV2 ROBLOX ACCOUNT,
UP1 ROBLOX ACCOUNT, and BENSON ROBLOX ACCOUNT 1. The conversation

1 below is an example of the communications that I saw.

2
 3 UP1 Heyy
 4 MV2 Sup
 5 BENSON Nice to meet you. I'm [MV2]
 6 MV2 I told her about some of the stuff we do XD
 7 BENSON I wanna kill you now
 8 And slap you ☺
 9 Did you know your mom is a yandere ("yandere" is an anime
 10 character who is crazy about someone else, literally and
 11 violently)
 12 Mom got rlly embarrassed cause she ##### for the first
 13 time Cx
 14 With me of course XD
 15 You like doing inappropriate things like you were telling me
 16 to do all day
 17 MV Mom do u want another kid?
 18 BENSON Its why she tried to do me today a lot
 19 Mom wanted me to do her badly
 20 I'm good w/ other things >> mom knows Cx

21 23. On multiple occasions, I saw communications between MV and BENSON
 22 over Instagram and Roblox in which MV identified a secondary a secondary Instagram
 23 account that belonged to her, MV INSTAGRAM ACCOUNT 2.

24 24. During one of the Roblox chats, MV2 provided her Instagram account user
 25 name as well: MV2 INSTAGRAM ACCOUNT.

26 **III. BACKGROUND REGARDING INSTAGRAM'S SERVICES**

27 25. Instagram is an online social networking application made for photo-
 28 sharing that enables its users to take pictures and share them either publicly or privately
 on the app, as well as through a variety of other social networking platforms, such as
 Facebook, Twitter, Tumblr, and Flickr. In August 2015, a new version of Instagram was
 developed which allows users to upload media captured in any aspect ratio. Users can
 also apply digital filters to their images and videos. Instagram was acquired by Facebook
 in April 2012.

26. Every user who creates an Instagram account has a profile and news feed. When a user posts a photo or video on Instagram, it will be displayed on the user's profile. A user profile may be customized to include the user's name, photo, short biography and a website link, if the user has one. Users who "follow" you will see your posts in their own feed. Likewise, you will see posts from the users whom you follow on your news feed. A user profile can be set to public or private. If a user account is public, anyone can find and view the user's profile along with all the photos and videos they post.

27. A user can interact with other users on Instagram by following them, being followed by them, commenting on the other user's posts, liking and/or tagging another user's posts, and by exchanging private messages with other users. Additionally, a user can save photos they see on Instagram.

V. BACKGROUND REGARDING ROBLOX'S SERVICES

28. Roblox is a user-generated massive multiplayer online social gaming platform. The name Roblox was created by blending the words, "robots" and "blocks." Roblox users create their own virtual worlds and design their own avatars and games within the platform. Each user can request their own pieces of virtual real estate on which they can build houses, cars, machines, roller coasters, or anything else they can imagine with building blocks and code; these are called, "games". Users search for, find, and play games made by other users in a persistent online environment, playing these games with other users from around the world.

29. Roblox Registration: New users must register with a username, email address, and date of birth. After registration and email verification, the new user then selects and customizes a visual character that is used as his or her identity in the Roblox world.

30. The Roblox world has its own virtual currency: ROBUX. Users can earn or purchase ROBUX in a variety of ways, and it can be used to buy or sell items within a platform. Users can also sell ROBUX back to Roblox subject to certain participation

1 requirements (including being 13 years of age or older). Activities in Roblox world
 2 include exploring, crafting items, resource gathering, and combat. Users interact with
 3 each other through in-game chat, personal messaging (within the Roblox environment),
 4 and user forums. Players can add other people they meet in the game to their friends list.
 5 A player can have a maximum of 200 friends and infinite followers. Players also have the
 6 option to join community groups. After joining, players can then advertise their group,
 7 participate in group relations, and set their default group.

8 **VI. PAST EFFORTS TO OBTAIN THIS EVIDENCE**

9 31. Some of this evidence is available on digital devices seized as part of this
 10 investigation. However, additional content and records are likely in the custody or
 11 control of Facebook/Instagram and Roblox. In addition, I sent preservation letters to
 12 Instagram requesting they preserve all evidence related to the accounts, BENSON
 13 INSTAGRAM ACCOUNT, MV INSTAGRAM ACCOUNT 1, MV INSTAGRAM
 14 ACCOUNT 2 and MV2 INSTAGRAM ACCOUNT; as well as to Roblox requesting they
 15 preserve all evidence related to the MV ROBLOX ACCOUNT, under authority of Title
 16 18, United States Code, Section 2703(f)(1), for a period of 90 days. The preservation
 17 letters requested the preservation of all account content and communications, subscriber
 18 information, IP addresses used to register the account as well as connection logs.

19 32. As noted, the SUBJECT ACCOUNTS were the subject of a previous
 20 warrant application, which I am resubmitting to correct technical deficiencies in that
 21 original application so the providers can provide the requested information.

22 **VII. INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

23 33. Pursuant to Title 18, United States Code, Section 2703(g), this application
 24 and affidavit for a search warrant seeks authorization to permit Instagram and Roblox,
 25 and their representatives and employees, to assist agents in the execution of these
 26 warrants. Once issued, the search warrants will be presented to Instagram and Roblox
 27 with direction that each company identify the accounts described in Attachment A, as
 28

1 well as other subscriber and log records associated with the SUBJECT ACCOUNTS, as
2 set forth in Attachment B.

3 34. The search warrants will direct Instagram and Roblox to create an exact
4 copy of the specified accounts and records.

5 35. I, and/or other law enforcement personnel will thereafter review the copy of
6 the electronically stored data, and identify from among that content those items that come
7 within the items identified in Section II to Attachment B, for seizure.

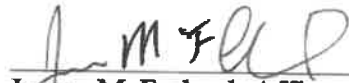
8 36. Analyzing the data contained in the forensic image may require special
9 technical skills, equipment, and software. It could also be very time-consuming.
10 Searching by keywords, for example, can yield thousands of "hits," each of which must
11 then be reviewed in context by the examiner to determine whether the data is within the
12 scope of the warrant. Merely finding a relevant "hit" does not end the review process.
13 Keywords used originally need to be modified continuously, based on interim results.
14 Certain file formats, moreover, do not lend themselves to keyword searches, as keywords,
15 search text, and many common e-mail, database and spreadsheet applications do not store
16 data as searchable text. The data may be saved, instead, in proprietary non-text format.
17 And, as the volume of storage allotted by service providers increases, the time it takes to
18 properly analyze recovered data increases, as well. Consistent with the foregoing,
19 searching the recovered data for the information subject to seizure pursuant to this
20 warrant may require a range of data analysis techniques and may take weeks or even
21 months. All forensic analysis of the data will employ only those search protocols and
22 methodologies reasonably designed to identify and seize the items identified in Section II
23 of Attachment B to the warrant.

24 37. Based on my experience and training, and the experience and training of
25 other agents with whom I have communicated, it is necessary to review and seize a
26 variety of messenger communications, chat logs, files, payment records and documents,
27 that identify any users of the subject account and communications sent or received in
28

1 temporal proximity to incriminating messages that provide context to the incriminating
2 communications.

3 VIII. CONCLUSION

4 38. Based on the forgoing, I request that the Court issue the proposed search
5 warrants. This Court has jurisdiction to issue the requested warrants because it is "a court
6 of competent jurisdiction" as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a),
7 (b)(1)(A) & (c)(1)(A). Specifically, the Court is "a district court of the United States . . .
8 that - has jurisdiction over the offense being investigated." 18 U.S.C. § 2711(3)(A)(i).
9 Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not
10 required for the service or execution of this warrant. Accordingly, by this Affidavit and
11 Warrant, I seek authority for the government to search all of the items specified in
12 Section I, Attachment B, and specifically to seize all of the data, documents and records
13 that are identified in Section II to that same Attachment.

14
15 
16 Jayme McFarland, Affiant
17 Special Agent
18 Homeland Security Investigations

19
20 SUBSCRIBED and SWORN to before me this 15th day of February, 2018.

21
22 
23 DAVID W. CHRISTEL
24 United States Magistrate Judge
25
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ATTACHMENT A – THE SUBJECT ACCOUNTS

SUBJECT INSTAGRAM ACCOUNTS to be Searched

The electronically stored data, information and communications contained in, related to, and associated with, including all preserved data associated with Instagram LLC accounts:

B3stingbeast



as well as all other subscriber and log records associated with the account, which are located at premises owned, maintained, controlled or operated by Instagram LLC a social media application provider headquartered at 1601 Willow Road, Menlo Park, California, 94025.

SUBJECT ROBLOX ACCOUNT to be Searched

The electronically stored data, information and communications contained in, related to, and associated with, including all preserved data associated with Roblox accounts:



as well as all other subscriber and log records associated with the account, which are located at premises owned, maintained, controlled or operated by Roblox, an electronic user-generated multiplayer online social gaming platform provider, headquartered at 60 East Third Avenue, Suite 201, San Mateo, CA 94401.

ATTACHMENT B

SUBJECT INSTAGRAM ACCOUNTS to be Searched

I. Information to be disclosed

To the extent that the information described in Attachment A related to the SUBJECT INSTAGRAM ACCOUNTS to be Searched is within the possession, custody, or control of Instagram LLC, including any communications, records, files, logs, posts, payment records, or information that has been deleted but is still available to Instagram LLC, or has been preserved pursuant to requests made under 18 U.S.C. § 2703(f), Instagram LLC is required to disclose the following information to the government for each SUBJECT INSTAGRAM ACCOUNT identifier listed in Attachment A:

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1 a. The contents of all communications associated with the account,
2 including stored or preserved copies of content sent to and from the account, draft
3 communications, the source and destination of any communications, the date and time at
4 which the communications were sent;

5 b. All records or other information regarding the identification of the
6 account, to include full name, physical address, telephone numbers and other identifiers,
7 records of session times and durations, the date on which the account was created, the
8 length of service, the IP address used to register the account, log-in IP addresses
9 associated with session times and dates, account status, alternative e-mail addresses
10 provided during registration, methods of connecting, log files, and means and source of
11 payment (including any credit or bank account number);

12 c. The types of service utilized;

13 d. All records or other information stored at any time by an individual
14 using the account, including address books, contact and buddy lists, calendar data,
15 pictures, files, and the contents of any accounts associated with SUBJECT INSTAGRAM
16 ACCOUNTS; and

17 e. All records pertaining to communications between
18 Facebook/Instagram and any person regarding the account, including contacts with
19 support services and records of actions taken.
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II. Information to be seized by the government

All information described above in Section I that constitutes fruits, contraband, evidence, and instrumentalities of violations of 18 U.S.C. § 2251(a) (Production of Child Pornography), 18 U.S.C. § 2252(a)(2) (Receipt or Distribution of Child Pornography), and 18 U.S.C. § 2422(b) (Enticement of a Minor) committed on or after August 1, 2017, including, for each account or identifier listed in Attachment A, information pertaining to the following matters:

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- 1 a. All messages, documents, and profile information, attachments, or
- 2 other data that serves to identify any persons who use or access the account specified, or
- 3 who exercise in any way any dominion or control over the specified account;
- 4 b. Any address lists or “friend”/contact lists associated with the
- 5 specified account;
- 6 c. All images/videos of child pornography, any messages or documents
- 7 relating to the transmission of child pornography (including any attachments thereto), and
- 8 any profile information from other file- or photo-sharing websites;
- 9 d. The types of services utilized;
- 10 e. All messages, documents, attachments and data content relating to or
- 11 referencing contact between Morgon Robert Benson, MV1, MV2, and/or any other
- 12 minors;
- 13 f. All subscriber records associated with the specified account,
- 14 including name, address, local and long distance telephone connection records, or records
- 15 of session times and durations, length of service (including start date) and types of
- 16 service utilized, telephone or instrument number or other subscriber number or identity,
- 17 including any temporarily assigned network address, and means and source of payment
- 18 for such service) including any credit card or bank account number;
- 19 g. Any and all other log records, including IP address captures,
- 20 associated with the specified account; and
- 21 h. Any records of communications between Instagram LLC, and any
- 22 person about issues relating to the account, such as technical problems, billing inquiries,
- 23 or complaints from other users about the specified account, including records of contacts
- 24 between the subscriber and the provider’s support services, as well as records of any
- 25 actions taken by the provider or subscriber as a result of the communications.

26
27 **Notwithstanding the criminal offenses defined under 18 U.S.C. § 2252 and 2252A or**
28 **any similar criminal offense, Instagram LLC shall disclose information responsive**
to this warrant by mailing it to Homeland Security Investigations, Attn: Special

1 Agent Jayme McFarland at 1000 Second Ave, Suite 2300, Seattle, WA 98104 or via
2 email to Jayme.N.McFarland@ice.dhs.gov.
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ATTACHMENTS - 7
USAO #2017R01076

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC
RECORDS PURSUANT TO FEDERAL RULES OF
EVIDENCE 902(11) AND 902(13)**

I, _____, attest, under penalties of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by Instagram LLC, and my title is _____. I am qualified to authenticate the records attached hereto because I am familiar with how the records were created, managed, stored, and retrieved. I state that the records attached hereto are true duplicates of the original records in the custody of Instagram LLC. The attached records consist of _____ **[GENERALLY DESCRIBE RECORDS**

(pages/CDs/megabytes)]. I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth by, or from information transmitted by, a person with knowledge of those matters, they were kept in the ordinary course of the regularly conducted business activity of Instagram LLC, and they were made by Instagram LLC as a regular practice; and

b. such records were generated by Instagram LLC'S electronic process or system that produces an accurate result, to wit:

1. the records were copied from electronic device(s), storage medium(s), or file(s) in the custody of Instagram LLC in a manner to ensure that they are true duplicates of the original records; and

1 2. the process or system is regularly verified by Instagram LLC, and at
2 all times pertinent to the records certified here the process and system functioned
3 properly and normally.
4

5 I further state that this certification is intended to satisfy Rules 902(11) and
6 902(13) of the Federal Rules of Evidence.
7
8
9

10 _____
11 Date

10 _____
11 Signature

SUBJECT ROBLOX ACCOUNT TO BE SEARCHED

I. Information to be disclosed

To the extent that the information described in Attachment A related to the MV ROBLOX ACCOUNT to be searched is within the possession, custody, or control of Roblox, including any communications, records, files, logs, posts, payment records, or information that has been deleted but is still available to Roblox, or has been preserved pursuant to requests made under 18 U.S.C. § 2703(f), Roblox is required to disclose the following information to the government for the MV ROBLOX ACCOUNT identifiers listed in Attachment A:

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1 a. The contents of all communications associated with the account,
2 including stored or preserved copies of content sent to and from the account, draft
3 communications, the source and destination of any communications, the date and time at
4 which the communications were sent;

5 b. All records or other information regarding the identification of the
6 account, to include full name, physical address, telephone numbers and other identifiers,
7 records of session times and durations, the date on which the account was created, the
8 length of service, the IP address used to register the account, log-in IP addresses
9 associated with session times and dates, account status, alternative e-mail addresses
10 provided during registration, methods of connecting, log files, and means and source of
11 payment (including any credit or bank account number);

12 c. The types of service utilized;

13 d. All records or other information stored at any time by an individual
14 using the account, including address books, contact and buddy lists, calendar data,
15 pictures, files, and the contents of any accounts associated with the MV ROBLOX
16 ACCOUNT; and

17 e. All records pertaining to communications between Roblox and any
18 person regarding the account, including contacts with support services and records of
19 actions taken.
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II. Information to be seized by the government

All information described above in Section I that constitutes fruits, contraband, evidence, and instrumentalities of violations of 18 U.S.C. § 2251(a) (Production of Child Pornography), 18 U.S.C. § 2252(a)(2) (Receipt or Distribution of Child Pornography), and 18 U.S.C. § 2422(b) (Enticement of a Minor) committed on or after August 1, 2017, including, for each account or identifier listed in Attachment A, information pertaining to the following matters:

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1 a. All messages, documents, and profile information, attachments, or
2 other data that serves to identify any persons who use or access the account specified, or
3 who exercise in any way any dominion or control over the specified account;

4 b. Any address lists or "friend"/contact lists associated with the
5 specified account;

6 c. All images/videos of child pornography, any messages or documents
7 relating to the transmission of child pornography (including any attachments thereto), and
8 any profile information from other file- or photo-sharing websites;

9 d. The types of services utilized;

10 e. All messages, documents, attachments and data content relating to or
11 referencing contact between Morgon Robert Benson, MV1, MV2, and/or any other
12 minors;

13 f. All subscriber records associated with the specified account,
14 including name, address, local and long distance telephone connection records, or records
15 of session times and durations, length of service (including start date) and types of
16 service utilized, telephone or instrument number or other subscriber number or identity,
17 including any temporarily assigned network address, and means and source of payment
18 for such service) including any credit card or bank account number;

19 g. Any and all other log records, including IP address captures,
20 associated with the specified account; and

21 h. Any records of communications between Roblox, and any person
22 about issues relating to the account, such as technical problems, billing inquiries, or
23 complaints from other users about the specified account, including records of contacts
24 between the subscriber and the provider's support services, as well as records of any
25 actions taken by the provider or subscriber as a result of the communications.

26
27 **Notwithstanding the criminal offenses defined under 18 U.S.C. § 2252 and 2252A or**
28 **any similar criminal offense, Roblox shall disclose information responsive to this**
warrant by mailing it to Homeland Security Investigations, Attn: Special Agent

1 Jayme McFarland at 1000 Second Ave, Suite 2300, Seattle, WA 98104 or via email
2 to Jayme.N.McFarland@ice.dhs.gov.
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**CERTIFICATE OF AUTHENTICITY OF DOMESTIC
RECORDS PURSUANT TO FEDERAL RULES OF
EVIDENCE 902(11) AND 902(13)**

I, _____, attest, under penalties of perjury by
the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the
information contained in this certification is true and correct. I am employed by
ROBLOX, and my title is _____. I am qualified to
authenticate the records attached hereto because I am familiar with how the records were
created, managed, stored, and retrieved. I state that the records attached hereto are true
duplicates of the original records in the custody of ROBLOX. The attached records
consist of _____ **[GENERALLY DESCRIBE RECORDS**

(pages/CDs/megabytes)]. I further state that:

a. all records attached to this certificate were made at or near the time of the
occurrence of the matter set forth by, or from information transmitted by, a person with
knowledge of those matters, they were kept in the ordinary course of the regularly
conducted business activity of ROBLOX, and they were made by ROBLOX as a regular
practice; and

b. such records were generated by ROBLOX'S electronic process or system
that produces an accurate result, to wit:

1. the records were copied from electronic device(s), storage
medium(s), or file(s) in the custody of ROBLOX in a manner to ensure that they are true
duplicates of the original records; and

1 2. the process or system is regularly verified by ROBLOX, and at all
2 times pertinent to the records certified here the process and system functioned properly
3 and normally.
4

5 I further state that this certification is intended to satisfy Rules 902(11) and
6 902(13) of the Federal Rules of Evidence.
7
8
9

10 _____
11 Date

10 _____
11 Signature
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